

REMARKS

Applicant respectfully requests reconsideration of the subject application as amended. In response to the Office Action mailed 03/28/08, Applicant is filing this amendment. Claims 1-6, 8-13, 15-18 and 20 are pending.

Applicant respectfully disagrees with the rejections and the Examiner's reasoning thereof, especially in light of the amendment to the pending claims. In the Office Action mailed 03/28/08, the Examiner has rejected claim 10 under 35 U.S.C. §102(b) as being anticipated by Easley et al. (U.S. Patent 6,259,482; "Easley"). Furthermore, the Examiner has also rejected claims 1 and 5 under 35 U.S.C. §103(a) as being unpatentable over Easley; claim 3 under 35 U.S.C. §103(a) as being unpatentable over Easley in view of Wong et al. (U.S. Patent 5,295,079; "Wong"); claim 9 under 35 U.S.C. §103(a) as being unpatentable over Easley in view of Kingston et al. (U.S. Patent 5,060,180; "Kingston"); claim 4 under 35 U.S.C. §103(a) as being unpatentable over Easley and Wong, in view of Kingston; claim 6 under 35 U.S.C. §103(a) as being unpatentable over Easley in view of Foster (U.S. Patent 6,441,482); claims 11, 16 and 20 under 35 U.S.C. §103(a) as being unpatentable over Easley in view of Elliott et al. (U.S. Patent 5,497,405; "Elliott"); claims 2 and 12 under 35 U.S.C. §103(a) as being unpatentable over Easley in view of Phillips (U.S. Patent 3,989,931); and claim 13 under 35 U.S.C. §103(a) as being unpatentable over Easley and Elliott in view of Wong and Kingston.

However, the Examiner has noted allowable subject matter in objecting dependent claims 7, 8, 14, 15 and 17-19. Applicant submits that amended independent claims 1 and 10 now clearly recite the down sampler and claim 16 recites down sampling, in which the generated signal is down sampled for frequency conversion. Applicant submits that the independent claims now recite allowable subject matter and distinguish the claimed embodiments of the invention from the cited references. Applicant submits that Easley alone or Easley in combination with the other cited references fail to disclose the claimed elements of the amended claims.

Accordingly, Applicant submits that the amended claims distinguish over Easley, alone, or Easley in various combinations with Wong, Kingston, Foster, Elliott and Phillips.

Accordingly, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. §102(b) and 35 U.S.C. §103(a) rejections and Applicant solicits the Examiner for the allowance of pending claims 1-6, 8-13, 15-18 and 20, as amended.

If there are any fee shortages related to this response, please charge such fee shortages to Deposit Account No. 50-2126.

Respectfully submitted,

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Date: 06/27/2008

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